

7. (twice amended) The device as claimed in any one of claims 1 to 2, wherein the die plate includes a pressing plate (13) and a receiving plate (18) which are connected at least to springs (22).

8. (twice amended) The device as claimed in any one of claims 1 to 2, wherein the die plates include a guide plate, and wherein stops (16) which limit the upper path of [a] the guide plate (17) in order to pull [the] paper punches (19) out of the material being punched (14) are provided on the sides of the device.

Cancel claim 9, without prejudice.

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REMARKS

In order to promote administrative efficiency and better communication, the Examiner is invited to make suggestions at any time during the proceedings, via phone, fax or e-mail, whenever such suggestions are within the Examiner's discretion as an aid to placing the claims in order for allowance in a timely manner.

Point 2: In the Abstract:

The Applicant has amended the Abstract as suggested by the Examiner by removing the italics and has provided a replacement abstract, attached. Further, the phrase —and has a vacuum connection—has been added at the end, just before the final period.

Point 3: Rejection under 35 USC § 112, Second Paragraph:

Concerning the Examiner's rejection under 112, Applicant believes that the above amendments to the claims overcome these rejections. The terms and sections which the Examiner identified as being indefinite for failure to distinctly claim the

subject matter have been amended as suggested by the Examiner to more clearly define the invention.

Point 4 : Rejection under 35 USC § 103:

The Examiner rejected claims 1, 2, 4, 5, 7, 8, 12 and 13 under 35 U.S.C. §103(a) as being unpatentable over Schall et al, in view of Muzik, and Swiss publication 246681. Applicant has amended claim 1 to overcome this rejection to further limit the claim to include an upper storage cavity into which the paper scrap is directed, the storage cavity for containing the scrap, the cavity being in a support (03) and having a vacuum connection. Neither Schall et al nor Muzik nor the Swiss publication 246681 teach or fairly suggest an open, upper storage cavity for containing scrap and having a vacuum connection. Further, it is believed that the limitation of "a vacuum connection" is a fair limitation, not raising a new issue or adding non-elected matter as the non-elected matter was for a suction removal device which arguably includes a vacuum, whereas, a storage cavity with a vacuum connection does not. In addition, Applicant asserts that the Examiner is engaging in impermissible hindsight reasoning in making the combination of the cited references, together with the Examiner's official notice of features he finds necessary to make the nexus required, features which are not present in the cited documents. Applicant respectfully submits that the Application can now fairly be passed on to allowance. If the Examiner disagrees, he is invited to suggest language which would satisfy him and thereby help pass this case on to allowance.

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Point 6: Conclusion

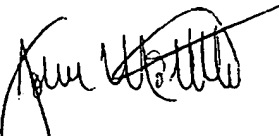
Applicant has made a diligent effort to advance the prosecution of this application by amending claims, and by pointing out herein with particularity how the claims now presented are patentably distinct from the prior art of record. Therefore,

Applicant respectfully submits that the claims, as amended, are now in condition for allowance. No new matter has been entered by this amendment. Any limitations to the claims are made solely for the purpose of expediting the prosecution of the application and, unless otherwise expressly stated, are not made to narrow, vis-à-vis the prior art, the scope of protection which any subsequently issuing patent might afford. Again, if the Examiner has further questions, he is invited to contact the undersigned at phone 011-4122-346-8744, fax at 011-4122-346-8960 (Geneva is 6 hours ahead of Eastern Std Time), or e-mail at moetteli@bugnion.ch.

The Undersigned authorizes the Commissioner to charge any fee or credit any overpayment of any fee under 37 CFR §1.16 and §1.17 which may be required in this application to the deposit account of BUGNION S.A., no. 50-0800.

Respectfully submitted,

Date : Dec 18, 2002


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Enclosures: replacement abstract
clean copy of amended claims

INVALIDATING DEVICE FOR STACKS OF THIN, PLANAR OBJECTS

Abstract of the Disclosure

A device for invalidating defective security documents has a horizontal base plate, die plates, and a drive mechanism. The base plate (9) supports the objects (14) to be invalidated. The die plates (13, 17, 18) are vertically movable and parallel to said base plate. The drive mechanism drives the die plates up and down. The device further has a perforating device which includes at least one cutting bushing (23) and a hollow paper punch (19). The paper punch (19) interacts with the cutting bushing in order to displace any paper scrap in the paper drill punch. The upper ends of the paper punches (19) are open such that the paper scrap may be pushed out into a support (03) having a storage cavity which contains the scrap and has a vacuum connection.

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CLEAN COPY OF AMENDED CLAIMS

1. (twice amended) A device for invalidating planar security documents, the device having a horizontal base plate (9) onto which objects (14) to be invalidated are placed, and die plates (13, 17, 18) which are vertically movable and parallel to said base plate, and having perforating means supported on the base plate and the die plates, a drive mechanism by which the die plates can be displaced up and down, wherein the perforating means comprises at least one cutting bushing (23) with a hollow paper punch (19) interacting with each cutting bushing in order to displace the paper scrap in the paper punch, wherein the upper end of each paper punch (19) is open and wherein an exit for the paper scrap is directed upwardly, directly into an upper storage cavity for containing the scrap, the cavity being in a support (03) and having a vacuum connection.

2. (amended) The device as claimed in claim 1, wherein the cutting bushing (23) is provided in the base plate (9), and wherein the paper punch (19) is provided on the die plates (13, 17, 18).

Cancel claim 3, without prejudice.

4. (twice amended) The device as claimed in claim 2, wherein the die plates include a guide plate (17) having guide surfaces which receive and guide the paper punch (19) and which support paper products during punching, thus serving as a pressing plate for the paper products (14) to be invalidated, a punch-receiving plate (18), which receives the paper punches (19), and a pressing plate (13).

5. (twice amended) The device as claimed in claim 1, wherein the die plates include a guide plate (17) having guide surfaces which receive and guide the paper punch (19) and which support paper products during punching, thus serving as a pressing plate for the paper products (14) to be invalidated, a punch-receiving plate (18), which receives the paper punches (19), and a pressing plate (13).

6. (non-elected).

7. (twice amended) The device as claimed in any one of claims 1 to 2, wherein the die plate includes a pressing plate (13) and a receiving plate (18) which are connected at least to springs (22).

8. (twice amended) The device as claimed in any one of claims 1 to 2, wherein the die plates include a guide plate, and wherein stops (16) which limit the upper path of the guide plate (17) in order to pull paper punches (19) out of the material being punched (14) are provided on the sides of the device.

Cancel claim 9, without prejudice.